

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND DIVISION**

**IN RE:**

**MOM MANGEMENT, LLC,**

**DEBTOR.**

§  
§  
§  
§  
§

**CASE NO. 98-70041**

**APPLICATION FOR PAYMENT OF DIVIDEND FROM UNCLAIMED FUNDS**

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO  
YOUR INTERESTS.**

**IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY (20) DAYS  
FROM THE DATE OF SERVICE, THE RELIEF REQUESTED IN THE  
MOTION MAY BE GRANTED WITHOUT A HEARING HELD.**

**A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO  
BE HELD.**

To The Honorable United States Bankruptcy Judge

Now comes Continental Casualty Company, the Claimant identified below, and requests an Order authorizing payment of unclaimed funds now on deposit in the Treasury of the United States for the benefit of Claimant and represents that:

1. Claimant was a creditor in the above-captioned bankruptcy case having timely filed a proof of claim in the amount of \$19,647.40. Claimant has not received payment of these funds that are due and owing to the Claimant.
2. Claimant further shows that Claimant is:

**NAME OF CLAIMANT:** Continental Casualty Company

**MAILING ADDRESS:** CNA Companies  
2405 Lucien Way  
Maitland, FL 32751

and that a dividend in the amount of \$16,316.19 was awarded in this case to the Claimant, which dividend is currently unclaimed and held by the Clerk of Court.

3. The address to which the Trustee attempted to send payment was an old address.

4. The affidavit of Mr. Al Hammond, on behalf of the Claimant and in support of this Application, is attached hereto as Exhibit "A" and is incorporated by this reference.

FOR THESE REASONS, Claimant requests the Court to enter an Order authorizing payment of the pro rata dividend due upon this claim.

Dated this 16<sup>th</sup> day of October, 2006.

PLUNKETT & GIBSON, INC.  
70 N.E. Loop 410, Suite 1100  
San Antonio, Texas 78216  
Telephone 210-734-7092  
Telecopier 210-734-0379

BY: /s/ Patrick H. Autry  
Patrick H. Autry  
State Bar No. 01447600  
ATTORNEYS FOR CLAIMANT

### **CERTIFICATE OF SERVICE**

In accordance with Title 28 U.S.C. § 2042, the undersigned hereby certifies that on the 16<sup>th</sup> day of October 2006 a true copy of this application with all required attachments was served by U.S. mail at the following address upon the following:

U.S. Attorney  
Midland Division  
U.S. Courthouse  
400 W. Illinois St., Suite 1200  
Midland, TX 79701

Janet S. Casiato Northrup  
4615 SW Freeway, Suite 410  
Houston, TX 77027

U.S. Attorney  
601 NW Loop 410, Suite 600  
San Antonio, TX 78216

Attorney General of the United States  
Main Justice Building, Rom 5111  
10<sup>th</sup> and Constitution Avenue, NW  
Washington, DC 20530

/s/ Patrick H. Autry  
Patrick H. Autry

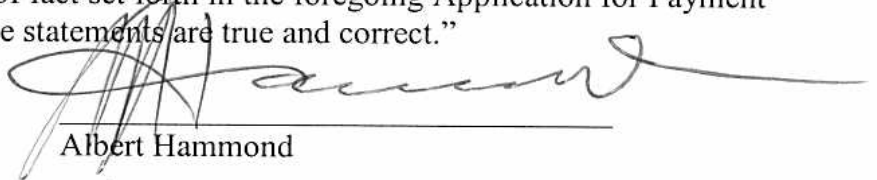
## **Exhibit A – Affidavit of Al Hammond**

State of :  
County of :

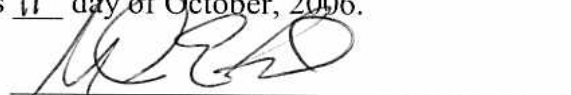
**AFFIDAVIT OF ALBERT HAMMOND**

Before me, the undersigned authority appeared Albert Hammond who being duly sworn according to law stated:

"My name is Albert Hammond. I am employed by Continental Casualty Company, the Claimant, as a Legal Collections Specialist and am authorized to make this affidavit on their behalf. I have reviewed the statements of fact set forth in the foregoing Application for Payment of Dividend from Unclaimed Funds. The statements are true and correct."

  
Albert Hammond

Sworn and subscribed before me this 11<sup>th</sup> day of October, 2006.

  
Notary Public  
State of IL  
My commission expires: 12/30/09

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